

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

ARNOLD MAURICE BENGIS,
JEFFREY NOLL, and
DAVID BENGIS, *et al.*,

Defendants.

03 Cr. 308 (LAK) (AJP)

**DECLARATION OF DANIEL W. LEVY IN SUPPORT OF THE
GOVERNMENT’S APPLICATION FOR AN ORDER REQUIRING
THE DEFENDANTS TO DEPOSIT RESTITUTION OR POST A BOND**

DANIEL W. LEVY, pursuant to Title 28, United States Code, Section 1746, declares
under the penalty of perjury:

1. I am employed in the Office of the United States Attorney for the Southern District of New York.
2. I make this Declaration in support of the Government’s application for an Order pursuant to Rule 38(e)(2) of the Federal Rules of Criminal Procedure, requiring defendants Arnold Maurice Bengis, David Bengis, and Jeffrey Noll to: (1) deposit the restitution ordered by the Court on June 14, 2013, into the Registry of the Court; or (2) in the alternative, to post a bond in the amount of the restitution ordered.
3. Attached hereto as **Exhibit A** is a true and correct copy of the Court’s Orders, dated March 25, 2013, April 8, 2013, April 23, 2013, and May 31, 2013 (Docket Entry Nos. 221, 227, 234, 240).

4. Attached hereto as **Exhibit B** is a true and correct copy of the Order of Justice, dated June 13, 2013, entered in the Royal Court of Jersey.

5. Attached hereto as **Exhibit C** is a true and correct copy of a Diagram of the present ownership structure of various accounts and other property, which was provided to the Government by the authorities in Jersey pursuant to a request, who obtained it from SG Hambros Bank (Channel Islands).

6. Attached hereto as **Exhibit D** is a true and correct copy of the Court's Memorandum Opinion, dated June 14, 2013 (Docket Entry No. 249).

7. Attached hereto as **Exhibit E** is a true and correct copy of the Court's Order, dated June 14, 2013 (Docket Entry No. 250).

8. Attached hereto as **Exhibit F** is a true and correct copy of a Notice of Appeal, filed by the defendants on or about June 28, 2013 (Docket Entry No. 251).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 2, 2013
New York, New York

_____/s/_____
Daniel W. Levy
Assistant United States Attorney
Telephone: (212) 637-1062